

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DAVID GORDON CANTRELL,

Plaintiff,

v.

WASHINGTON STATE, *et al.*,

Defendants.

Case No. C07-5571BHS/JKA

ORDER DISMISSING
COMPLAINT PURSUANT TO
28 U.S.C. § 1915

The Court, having reviewed the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Plaintiff's action is **DISMISSED** pursuant to **28 U.S.C. § 1915(e)(2)(B)(i and ii)**. **This dismissal counts as a strike pursuant to 28 U.S.C. 1915 (g).**
- (3) The Clerk is directed to send copies of this Order to plaintiff, to counsel of record, and to the Hon. J. Kelley Arnold.

DATED this 19th day of February, 2008.



BENJAMIN H. SETTLE
United States District Judge